

Croker Prize for Biography

Entry 1405

How Black Can Black Be?

(George Lonsdale)

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The longest criminal libel case in New South Wales legal history!¹

That was the description of a court case held in 1897 in Armidale, New South Wales, which was sparked by the action of my great-grandfather, George Lonsdale. He was well-known in the New England region, and certainly stands out as the blackest sheep in my family's flock.

George was born on 16 October, 1847,² when the Lonsdale family was living at Rutherford, a farming area in the Hunter Valley. His father, also named George, arrived in Australia on *Surry I* (6)³ in 1831, having been convicted at the Old Bailey of housebreaking,⁴ and his mother was an Irish lass, Mary Harding, who came to Australia in 1839 on the bounty ship, *Andromache*.⁵ George settled well into his new life and having gained his ticket-of-leave⁶ on 14 February, 1840, married Mary on 1 February, 1841 in West Maitland⁷. Shortly after, the Lonsdale family moved into Maitland where George senior successfully applied for the publican's licence of the Cross Keys Inn.⁸ However, during the family's management, tragedy struck with the death of Mary Lonsdale. An inquest found she had died *from apoplexy brought on by intemperance*.⁹ Young George was seven at the time and perhaps that single event did more to establish his outspoken personality than any other influence upon his life.

After basic schooling, George moved around the countryside seeking labouring jobs and picking up skills as he went. One such job took him to Sandy Creek Head Station, Bowman's Creek, where he married Jane Wake on 9 July, 1867¹⁰. Ten children were born to George and Jane with registration of their births showing the family was still moving around quite a deal – probably a combination of itchy feet and job prospects. In 1872, George had his first brush with the law, his offence being reported in the *New South Wales Police Gazette* 31 January, 1872:

A warrant has been issued by the Muswellbrook Bench for the arrest of George Lonsdale, charged with forging two cheques, which were subsequently uttered by Anthony Wake. Lonsdale is about 25 years of age, 6 feet high, stout build, square shoulders, long features, long nose, heavy eyebrows, light hair, black whiskers and moustache, chin shaven; dressed in black cloth trousers, strapped black alpaca coat, black vest, and felt hat; native of Maitland. Supposed to have gone to Bowman's Creek.

At the Maitland Quarter Sessions¹¹, a clever defence placed sufficient doubt before the jury giving little option but to return a finding of *not guilty* and the case was dismissed. Eventually the family settled in the New England township of Uralla.

Financial management was not one of George's strong points, and in 1886, the Bank of New South Wales resumed his land and dwellings.¹² This placed a strain on family life. Jane Lonsdale wrote to the educational authorities asking forgiveness for her children's unpaid school fees.¹³ A letter from the school teacher to the District Inspector left no doubt that George found it difficult to cope with family responsibilities:

Sir, Yesterday I called on Mrs Lonsdale. She does not know where her husband is, and said she is better off without him.

The Inspector agreed to cancel fees for the children but this was to become an ongoing problem. Over the next few years, George tried his luck at three different goldfields, Watson's Creek, then Melrose and lastly Dalmorton,¹⁴ but the result was the same – little or no gold.

Despite financial troubles, George continued his participation in public affairs and in 1897, successfully nominated for a position on the Uralla Council.¹⁵ George revelled in being able to bring people around to his way of thinking and on 16 October, 1897, he wrote a lengthy letter to Mr John Norton, the Editor of a Sydney-based newspaper, *The Truth*, accusing the property manager of *Salisbury Court* of trying to quietly exchange a parcel of 2600 acres of inferior land at Black Nob for a similar area of good land. The Minister for Lands, Mr Carruthers, was also in George's sights and was accused of perpetrating the swindle, thus proving his dishonesty. Next, the District Surveyor, Mr Duncan Mearns Maitland, was accused of incompetence, and for good measure, George attacked the local press for failing to print the true facts. Little did George realise the implications of this letter or he might have selected another way of venting his spleen.

In writing to Norton, George Lonsdale sparked off the greatest criminal libel case in New South Wales' legal history to that time. Ordered to appear at a special sitting of the Circuit Court in Armidale on 20 December, 1897, George was represented by Mr Hyam (Smudgy) Moss and John Norton acted for himself.¹⁶ The list of witnesses included some very well-known names: Mr George Reid, Premier of New South Wales, Mr J G Leary, Chief Clerk in Divorce, Mr F G Finlay, Chairman of the Armidale Land Board and several high-ranking police officials. The interest was so great in this trial that there was not a single hotel bed to be had in Armidale over the whole period.

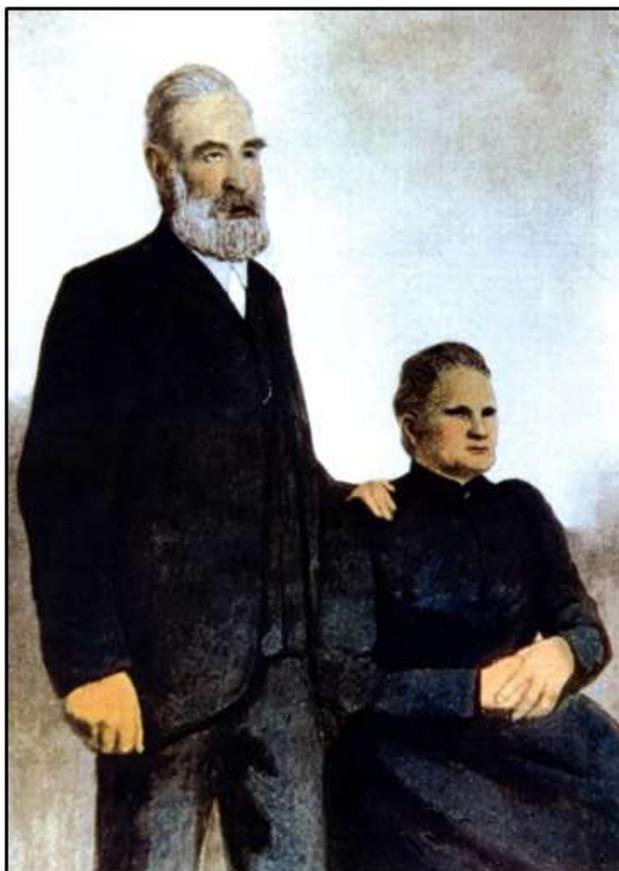
Mr Hyam Moss spoke for seven hours claiming the Crown had not proved George Lonsdale had written the letter. He concentrated on the Armidale Lands Board's *gross acts of maladministration*, the discrepancies between witnesses' testimonies and the role of the police. Norton's equally lengthy address was far more flamboyant. After extended deliberation, the jury failed to agree and the matter was left unresolved with no further trial. George was not one to be put off by people in high places. Nor did the drama of an appearance in court dampen his enthusiasm for public affairs. With his interest in land dealings now aroused, he became a Land Agent.

George Lonsdale remained a very out-spoken and direct person throughout his life –saving peoples' feelings was not a high priority for him. A vivid example of this occurred at an election meeting held in 1899 in Uralla. There were three candidates: Mr Michael John McMahon with his campaign director Mr George Lonsdale, Mr McLeod Marsh and his campaign manager Mr Tom Bardsley, and Mr W J Watts.

During the evening, Mr George Lonsdale was called to speak in favour of Mr McMahon and made his way to the stage area. It seems that Lonsdale was in debt to a Mrs Gobas and had somehow cheated her out of almost 20 years' rent on some property, and she couldn't force him to pay because of a faulty clause in the contract. When he stood ready to speak, Mr Bardsley called from the body of the hall "Why do you not pay Mrs Gobas the rent you owe her?" There was uproar. Lonsdale shouted in a very deliberate voice, "You can kiss my ----" and sat down. In the shocked silence that followed, Mr and Mrs Bardsley, the minister and his wife, and the curate of St Johns walked out of the hall, followed by half the audience. However, Mr McMahon's supporters insisted on carrying on and after a vote of confidence, he was elected as Member for the District.¹⁷

Apparently George was not averse to using the odd expletive, even having to appear in the Uralla Police Court when accused of using insulting language. This matter however, was settled out of court. When it came to misdemeanours, George always seemed to evade repercussions, but Lady Luck finally deserted him when he was convicted in Armidale of *larceny as a bailee* on 28 April, 1903. His punishment was 12 months hard labour in Darlinghurst Gaol.¹⁸ Perhaps this sentencing contributed to his death just a few years later at the age of 60 years.¹⁹

George Lonsdale had lived life as he saw fit, and as the black sheep in my family, has certainly added colour to my otherwise white flock.



A painting of George and Jane Lonsdale

¹ Driscoll, Bill, *The Twelve Days of Christmas: The Great Criminal Libel Case of 1897*, Armidale & New England Historical Society.

² NSW Registry of Births, Deaths and Marriages, Baptism certificate: 2437 Vol: 32.

³ Listing for arrivals on Surrey I (6) in 1831: www.historyaustralia.org.au/twconvic/Surrey+1831

⁴ Proceedings of the Old Bailey: www.oldbaileyonline.org

⁵ Online microfilm of shipping lists: www.records.nsw.gov.au

⁶ Ticket-of-Leave: 40/451.

⁷ NSW Marriage certificate, 571 Vol: 25.

⁸ Index of publicans licences: srwww.records.nsw.gov.au

⁹ *Maitland Mercury and Hunter River General Advertiser 1843-1893*, 13 January 1855.

¹⁰ NSW Marriage certificate, 2542/1867.

¹¹ *Maitland Mercury and Hunter River General Advertiser 1843-1893*, 15 June, 1872.

¹² *Ibid*, 1 December, 1886.

¹³ NSW State Records, School Bundle 5/17943.

¹⁴ Vernon, Kaye & Jacobsen, Billie, *Teapot Genies, Register of Leases of Auriferous Lands 1874-1953* (CD), www.teapotgenealogy.com

¹⁵ Uralla Council's Minute Book 2 February, 1897, University of New England Archives.

¹⁶ Driscoll, Bill, *The Twelve Days of Christmas: The Great Criminal Libel Case of 1897*, Armidale & New England Historical Society.

¹⁷ Upjohn, Jeané, *They Came to Thunderbolt Country*, University of New England History Series 6, 1988.

¹⁸ *Darlinghurst Gaol entrance Book 1903*, Page 235, No 9003.

¹⁹ NSW Death certificate, 12580/1907.